

## **ORDER**

### **FIRE RESTRICTIONS**

#### **MALHEUR NATIONAL FOREST OCHOCO NATIONAL FOREST**

Pursuant to 36 CFR, Sec. 261.50(a) and (b), the following acts are prohibited on all areas within the Malheur National Forest and Ochoco National Forest, Emigrant Ranger District, beginning 00:01, July 28, 2004, until further notice:

(1.) Building, maintaining, attending or using a fire, campfire, or stove fire. For the purpose of this order, this restriction applies to building, maintaining, attending or using a fire, campfire, or stove fire outside of the developed recreation sites listed in Exhibit A of this order, except for liquefied or bottled gas stoves and heaters, and except for stove fires within permanent residential structures (36 CFR 261.52(a)).

(2.) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material (36 CFR 261.52(d)).

(3.) It is prohibited to possess or use a vehicle off National Forest System roads. For the purpose of this order, this restriction applies to use or possession of motorized vehicles off National Forest System roads and off National Forest System trails, except for the purposes of going to and from campsites when such campsites are located within 300 feet of an open National Forest System road (36 CFR 261.56).

(4.) Using any type of vehicle prohibited by the order. For the purpose of this order, this restriction applies to motorized vehicles on any National Forest System road or segment where access is blocked or impeded by gate, barricade, log, boulder or earthen berm (36 CFR 261.54(a)).

(5.) Operating an internal combustion engine. For the purpose of this order, this restriction applies to all internal combustion engines other than motor vehicles, except for electrical generators operated under the following conditions:

- (a.) in the center of an area at least 10 feet in diameter that is barren or cleared of all flammable material, or;
- (b.) when fully contained within a pickup truck bed that is devoid of all flammable material, or;
- (c.) when factory installed in a recreational vehicle and the generator exhaust discharge is located in the center of an area at least 10 feet in diameter that is barren or cleared of all flammable material.

(36 CFR 261.52(h)).

Pursuant to 36 CFR, Sec. 261.50(e), the following persons are exempt from items 1, 3, 4 and 5 of this order:

- (1.) Persons with a permit specifically authorizing the prohibited act or omission.

Pursuant to 36 CFR, Sec. 261.50(e), the following persons are exempt from items 3, 4 and 5 of this order:

- (1.) Any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Done at John Day, Oregon, this 27th day of July, 2004.

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Roger W. Williams  
Forest Supervisor  
Malheur National Forest

Violation of these prohibitions is punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571)

EXHIBIT A  
Developed Recreation Sites

**EMIGRANT RANGER DISTRICT**

Idlewild Campground  
Yellowjacket Campground  
Rock Springs Camp (T. 18 S., R. 32 E., Sec. 24)  
Delintment Campground  
Falls Campground  
Emigrant Campground  
Joaquin Miller Campground

**PRAIRIE CITY RANGER DISTRICT**

Strawberry Mountain Campground  
Trout Farm Campground  
Big Creek Campground  
Northfork Malheur Campground  
Elk Creek Campground  
Crescent Campground  
Little Crane Campground  
Murray Campground  
Slide Campground and Slide Horse Camp

**BLUE MONTAIN RANGER DISTRICT**

Canyon Meadows Campground  
Wickiup Campground  
Parrish Cabin Campground  
Starr Ridge Campground  
Dixie Campground  
Middle Fork Campground  
Lower Camp Creek Campground  
Magone Lake Campground  
Deerhorn Campground

## **Supporting Documentation**

### **Statement of Need:**

These restrictions have been deemed necessary because of unusually dry fire conditions on the forest combined with a reduced number of available suppression resources.

### **Enforcement Policy:**

Education will be emphasized during initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Officers will not issue citations unless the affected areas are adequately posted.

### **Posting:**

No campfires signs, no smoking signs and area closure signs, where applicable, will be placed on major road systems and highly used dispersed recreation sites. "No internal combustion engine" posters or similar will be developed and posted in developed recreation sites.

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Roger W. Williams  
Forest Supervisor

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/s/ Dwight B. Johnson  
DWIGHT B. JOHNSON  
Patrol Captain